

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION**

#### **JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES**

**Call to Order:** By **CHAIRMAN BETTY LOU KASTEN**, on February 15, 1999 at 7:03 A.M., in Room 108 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Betty Lou Kasten, Chairman (R)  
Sen. Chuck Swysgood, Vice Chairman (R)  
Rep. Beverly Barnhart (D)  
Rep. John Cobb (R)  
Sen. Bob Keenan (R)  
Sen. Mignon Waterman (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Delila Croucher, Committee Secretary  
Lois Steinbeck, Legislative Branch  
Lorene Thorson, Legislative Branch  
Bob Andersen, OBPP  
Connie Welsh, OBPP

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s): Managed Care

Executive Action: Disability Services Division;  
Health and Human Services  
Division; Operations and  
Technology Division

David Briggs, Behavior Health Care in Colorado, addressed the Committee on managed care. The Committee engaged in discussion regarding savings, spending, pharmacy, profit handling, consumer

advisory board, sub-contracts, capitation rates, non-medicaid co-pay, utilization review, cost shifts and consumer satisfaction.

***{Tape : 1; Side : A; Approx. Time Counter : 5.8 - Tape : 1; Side : B; Approx Time Counter : 13.9}***

Jim Weir ,from Utah Utah, addressed the Committee on managed care. Their was a discussion on sub-capitation rates, state hospital satisfaction, waivers, pharmacy, medicaid and non-medicaid populations, management information systems, eligibility, job placement, juvenile correction integration and managed care stability.

***{Tape : 1; Side : B; Approx. Time Counter : 13.9 - Tape : 2; Side : B; Approx. Time Counter : 25.9}***

#### **EXECUTIVE ACTION ON DISABILITY SERVICE DIVISION**

**Motion/Vote:** REP. COBB moved that 1998 BASE BUDGET BE ADOPTED. Motion carried unanimously with Swysgood being absent.

***{Tape : 2; Side : B; Approx. Time Counter : 26.4 - 27.3}***

**Motion/Vote:** REP. COBB moved that STATEWIDE PRESENT LAW BE ADOPTED. Motion carried unanimously with Swysgood being absent.

***{Tape : 2; Side : B; Approx. Time Counter : 27.3 - 27.9}***

#### **PRESENT LAW ADJUSTMENT**

**Motion/Vote:** REP. COBB moved that DP1, DSD ANNUALIZE PROVIDER RATE INCREASE BE ADOPTED. Motion carried unanimously.

***{Tape : 2; Side : B; Approx. Time Counter : 27.9 - 30.9}***

**Motion/Vote:** REP. COBB moved that DP2, ANNUALIZE FY99 VR TUITION INCREASES BE ADOPTED. Motion carried unanimously.

***{Tape : 3; Side : A; Approx. Time Counter : 0 - 0.8}***

**Motion/Vote:** REP. COBB moved that DP3, DD ANNUALIZE COMMUNITY SERVICES BE ADOPTED. Motion carried unanimously.

***{Tape : 3; Side : A; Approx. Time Counter : 0.8 - 1.5}***

**Motion/Vote:** REP. COBB moved that DP4, DDS WORKLOAD INCREASE BE ADOPTED. Motion carried unanimously.

***{Tape : 3; Side : A; Approx. Time Counter : 1.5 - 2.5}***

**Motion/Vote:** REP. COBB moved that DP5, MDC PERSONAL SERVICES ADJUSTMENT BE ADOPTED. Motion carried unanimously.

***{Tape : 3; Side : A; Approx. Time Counter : 2.5 - 3.6}***

**Motion/Vote:** REP. COBB moved that DP6, EHSC BASE ADJUSTMENT BE ADOPTED AS OTO. Motion carried unanimously.

*{Tape : 3; Side : A; Approx. Time Counter : 3.6 - 6.5}*

**Motion:** SEN. WATERMAN moved that DP7, DDP BASE ADJUSTMENT BE ADOPTED.

**Substitute Motion/Vote:** SEN. SWYSGOOD made a substitute motion that DP7, DDP BASE ADJUSTMENT, MINUS THE GENERAL FUND BE ADOPTED. Substitute motion carried unanimously.

*{Tape : 3; Side : A; Approx. Time Counter : 6.5 - 9.4}*

### **NEW PROPOSALS**

**Motion:** REP. COBB moved that DP2, VR 4% TUITION INCREASE BE ADOPTED.

**Substitute Motion/Vote:** SEN. SWYSGOOD made a substitute motion that IF IT IS NOT INCREASED TO 4%, MONEYS WILL REVERT BACK TO THE GENERAL FUND. Substitute motion carried unanimously.

*{Tape : 3; Side : A; Approx. Time Counter : 9.4 - 15.5}*

**Motion:** REP. COBB moved that OPTION #2 OF THE OPTIONS TO MITIGATE TITLE XX CUTS WITH THE UNDERSTANDING THAT GENERAL FUND MONEYS WILL FIRST REVERT BACK TO THE GENERAL FUND BEFORE TANF FUNDS, BE ADOPTED. MOTION WITHDRAWN. **EXHIBIT**(jhh37a01)  
**EXHIBIT**(jhh37a02)

*{Tape : 3; Side : B; Approx. Time Counter : 4.5 - 13.8}*

**Motion:** SEN. WATERMAN moved that DP3, REFINANCE TO REDUCE WAITING LISTS BE ADOPTED.

**Substitute Motion/Vote:** SEN. SWYSGOOD made a substitute motion IF TITLE XX FUNDING IS NOT RESTORED, UP TO 2.8 MILLION DOLLARS GENERAL FUND AND TANF MONEY MAY BE USED IF NEEDED. Substitute motion carried unanimously.

*{Tape : 3; Side : B; Approx. Time Counter : 13.8 - 18.5}*

**Motion:** REP. COBB moved that IN THE ABSENCE OF TITLE XX FUNDING, 2.3 MILLION DOLLARS GENERAL FUND BE ADOPTED.

**Substitute Motion/Vote:** SEN. SWYSGOOD made a substitute motion TO ADOPT OPTION #2, WITH THE UNDERSTANDING THAT THE 2.3 MILLION DOLLARS GENERAL FUND MUST COME FROM SAVINGS WITHIN THE DEPARTMENT. Substitute motion carried 5-1 with Cobb voting no.

*{Tape : 3; Side : B; Approx. Time Counter : 18.5 - 21.2}*

**Motion/Vote:** REP. COBB moved that OPTION 5 BE ADOPTED. Motion failed 3-3 with Barnhart, Cobb, and Keenan voting aye.

February 15, 1999

PAGE 4 of 7

*{Tape : 3; Side : B; Approx. Time Counter : 21.2 - Tape : 4; Side : A; Approx. Time Counter : 8.8}*

Motion/Vote: REP. COBB moved IF TITLE XX FUNDS ARE NOT IN PLACE BY 2001 AN APPROPRIATION OF \$43,000 GENERAL FUND BE IMPLEMENTED AS OTO UPON THE COMPLETION OF A MEANS TEST. Motion carried unanimously.

*{Tape : 4; Side : A; Approx. Time Counter : 8.8 - 12}*

Motion/Vote: REP. COBB moved that DP4, VR CASELOAD INCREASE BE ADOPTED. Motion carried 4-2 with Kasten and Swysgood voting no.

*{Tape : 4; Side : A; Approx. Time Counter : 12 - 12.7}*

Motion/Vote: REP. COBB moved that DP5, OTO DD EMERGENCY CAPACITY BE ADOPTED. Motion failed 3-3 with Barnhart, Cobb, and Waterman voting aye.

*{Tape : 4; Side : A; Approx. Time Counter : 12.7 - 14.5}*

Motion/Vote: REP. COBB moved that \$50,000 GENERAL FUND WITH FEDERAL MATCH BE ALLOCATED WITH AUTHORIZATION UP TO \$173,640 BE ADOPTED. Motion carried 5-1 with Swysgood voting no.

*{Tape : 4; Side : A; Approx. Time Counter : 14.5 - 18.8}*

Motion: REP. COBB moved DP7, DONATED DENTAL BE ADOPTED AS OTO.

Substitute Motion/Vote: SEN. WATERMAN made a substitute motion FUND PROGRAM WITH \$50,000 GENERAL FUND, OTO OVER THE BIENNIUM. Substitute motion carried 4-2 with Kasten and Swysgood voting no.

*{Tape : 4; Side : A; Approx. Time Counter : 18.8 - 22.2}*

Motion/Vote: REP. COBB moved that DP8, DDS REQUEST FOR 2.0 ADDITIONAL FTE BE ADOPTED. Motion carried unanimously.

*{Tape : 4; Side : A; Approx. Time Counter : 22.2 - 23.4}*

Motion/Vote: REP. COBB moved that DP9, FEDERAL FUNDING INCREASE FOR GRANT BE ADOPTED. Motion carried unanimously.

*{Tape : 4; Side : A; Approx. Time Counter : 23.4 - 25.6}*

Motion/Vote: SEN. WATERMAN moved LANGUAGE RECOMMENDATION ON PAGE B-68 UP TO \$2 MILLION A BIENNIUM. Motion carried unanimously.

*{Tape : 4; Side : A; Approx. Time Counter : 25.6 - 27.7}*

Motion/Vote: SEN. WATERMAN moved that \$131,140 OVER THE BIENNIUM GENERAL FUND TO SERVE THE WAITING LIST BE ADOPTED. Motion carried 4-2 with Kasten and Swysgood voting no.

*{Tape : 4; Side : A; Approx. Time Counter : 27.7 - 30.8}*

February 15, 1999

PAGE 5 of 7

Motion/Vote: SEN. WATERMAN moved that LANGUAGE FOR THE DSD BE ADOPTED. Motion carried 4-2 with Keenan and Swysgood voting no. **EXHIBIT** (jhh37a03)

*{Tape : 4; Side : B; Approx. Time Counter : 0.6 - 9.5}*

Motion/Vote: SEN. SWYSGOOD moved that the \$2.3 MILLION SAVINGS MUST BE USED IN THE DSD DIVISION IF THERE IS A SHORTFALL IN TITLE XX FUNDS. Motion carried 5-1 with Waterman voting no.

*{Tape : 4; Side : B; Approx. Time Counter : 11 - 16.3}*

Motion/Vote: REP. COBB moved that LANGUAGE IN AMENDMENT 8 BE ADOPTED. Motion carried unanimously. **EXHIBIT** (jhh37a04)

*{Tape : 4; Side : B; Approx. Time Counter : 16.3 - 17.8}*

EXECUTIVE ACTION ON OPERATIONS AND TECHNOLOGY DIVISION

PRESENT LAW:

Motion/Vote: SEN. WATERMAN moved THAT THE COMMITTEE RECONSIDER THEIR ACTION ON DP2, MMIS FM OPS CONTRACT. Motion carried unanimously.

Motion/Vote: SEN. WATERMAN moved DP2, MMIS FM OPS CONTRACT BE ADOPTED. Motion carried unanimously.

*{Tape : 4; Side : B; Approx. Time Counter : 26.3 - 27.6}*

Motion/Vote: SEN. WATERMAN moved that FIXED COSTS OF STATEWIDE PRESENT LAW BE ADOPTED. Motion carried with Cobb voting no.

*{Tape : 4; Side : B; Approx. Time Counter : 27.6 - 30.8}*

Motion/Vote: SEN. SWYSGOOD moved that PL3, ENVIRONMENTAL LAB EQUIPMENT; PL4, ENVIRONMENTAL LAB EQUIPMENT REPLACEMENT; NP4, ENVIRONMENTAL LAB SEASONAL STAFF BE ADOPTED WITH NO INCREASE IN FEES TO THE USER. Motion carried 4-2 with Cobb and Kasten voting no.

*{Tape : 5; Side : A; Approx. Time Counter : 0.7 - 4.4}*

NEW PROPOSALS:

Motion/Vote: SEN. WATERMAN moved that ITEM 4, SEARCHS FM CONTRACT BE ADOPTED WITH ONLY THE FEDERAL FUNDS. Motion carried 4-2 with Kasten and Swysgood voting no.

*{Tape : 5; Side : A; Approx. Time Counter : 4.4 - 6.5}*

February 15, 1999

PAGE 6 of 7

Motion: SEN. WATERMAN moved ITEM 3, LEGACY SYSTEM RENOVATION BE  
ADOPTED AS OTO. MOTION WITHDRAWN.

Motion/Vote: REP. COBB moved \$50,000 GENERAL FUND AND FULL STATE

SPECIAL OVER THE BIENNIUM BE ADOPTED AS OTO. Motion carried 4-2  
with Keenan and Swysgood voting no.

*{Tape : 5; Side : A; Approx. Time Counter : 6.5 - 10.0}*

Motion/Vote: SEN. WATERMAN moved APPROVAL OF ISD CAPITATION  
LANGUAGE REQUEST OF THE DEPARTMENT. Motion carried unanimously.

*{Tape : 5; Side : A; Approx. Time Counter : 10.0 - 23.9}*

EXECUTIVE ACTION ON PROVIDER RATE INCREASES

Motion: REP. COBB moved that #1 AND #2 OF THE PROVIDER RATE  
INCREASE LANGUAGE BE ADOPTED. MOTION WITHDRAWN.

*{Tape : 5; Side : A; Approx. Time Counter : 23.9 - 25}*

February 15, 1999  
PAGE 7 of 7

**ADJOURNMENT**

Adjournment: 11:55 A.M.

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REP. BETTY LOU KASTEN, Chairman

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DELILA CROUCHER, Secretary

BK/DC

**EXHIBIT** (jhh37aad)